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Attorneys for Creditor ADI VENDRIGER

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION**

In re:

LESLIE KLEIN,

Debtor and Debtor in Possession.

) Case No. 2:23-bk-10990-SK

) **RESPONSE TO MOTION FOR ORDER
DISMISSING DEBTOR'S CHAPTER 11
BANKRUPTCY CASE**

) Date: May 17, 2023

) Time: 9:00 am

) Place: Courtroom 1575

) 255 East Temple Street

) Los Angeles, CA 90012

TO THIS COURT AND ALL PARTIES INTERSETED:

PLEASE TAKE NOTICE THAT: Adi Vendrigger, Co-Trustee and beneficiary of Creditor The First Amendment Trust Wendrigger Family Dated May 7, 1990 believes that it would be in the best interest of the estate and all creditors if a chapter 11 trustee were appointed in this matter, rather than a dismissal of the case, based on the following:

1. Debtor Leslie Klein ("Klein") chose to seek the protections of the bankruptcy Court. He now is under the scrutiny of the Federal Bankruptcy Court, the U.S. Trustee and creditors. Klein is now required to disclose information to all interested parties in a centralized

proceeding and is subject to federal court sanctions and penalties should he continue his prior pattern and practice of refusing to provide information to creditors and/or ignoring court orders;

2. From the allegations in the motion to dismiss, Klein simply refuses to follow Court orders. Dismissing this bankruptcy case would just allow him to continue to ignore Court orders from various different judges to the detriment of all creditors.

3. Moving Creditor Erica Vago ("Vago") asserts that as a secured creditor, she has a security interest in all assets of the estate that are not already subject to liens. This asserted security interest is based on Vago's recording of abstracts and filing a notice of judgment lien with the California Secretary of State. Vago asserts that there are no assets left for general unsecured creditors, hence there is no need for a bankruptcy proceeding. With all due respect to Vago, upon increased scrutiny of the recorded abstracts and filed notice of judgment lien, the same may be subject to being set aside as a preference.

4. If moving Creditor Vago were deemed a general unsecured creditor, there would be assets in the estate to support the efforts of a chapter 11 trustee and to provide a pro rata payment to general unsecured creditors.

For the foregoing reasons, Creditor Adi Vendrigger requests that this Court deny Vago's motion to dismiss and consider the appointment of a chapter 11 trustee

Dated: May 3, 2023

SHUMAKER MALLORY, LLP



By: _____

CLARISSE YOUNG SHUMAKER
BRETT J. WASSERMAN
Attorneys for Creditor
ADI VENDRIGGER, Co-Trustee

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
1 Ringbit Rd. W., Rolling Hills, CA 90212

A true and correct copy of the foregoing document entitled (*specify*): RESPONSE TO MOTION FOR ORDER
DISMISSING DEBTOR'S CHAPTER 11 BANKRUPTCY CASE

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 05/03/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

See attached.

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) 05/03/2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor
Leslie Klein
322 N. June Street
Los Angeles, CA 90001

☒ Service information continued on attached page


3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) 05/03/2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Honorable Sandra Klein
United States Bankruptcy Court
Edward R. Roybal Federal Building
255 E. Temple Street, Suite 1582

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

05/03/2023 Davida J. Goldman
Date *Printed Name*


Signature

Proof Of Service Of Document

In re LESLIE KLEIN Case No.: 2:23-bk-10990-SK

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF) (CONTINUED):

- **Reem J Bello** rbello@goeforlaw.com, kmurphy@goeforlaw.com
- **Michael Jay Berger** michael.berger@bankruptcypower.com, yathida.nipha@bankruptcypower.com; michael.berger@ecf.inforuptcy.com
- **Greg P Campbell** ch11ecf@aldridgepите.com, gc@ecf.inforuptcy.com; gcampbell@aldridgepите.com
- **Theron S Covey** tcovey@raslg.com, sferry@raslg.com
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- **Michael Jones** michael.jones4@usdoj.gov
- **Ron Maroko** ron.maroko@usdoj.gov
- **Krikor J Meshefejian** kjm@lnbyg.com
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- **Alan G Tippie** Alan.Tippie@gmlaw.com, atippie@ecf.courtdrive.com; Karen.Files@gmlaw.com, patricia.dillamar@gmlaw.com, denise.walker@gmlaw.com
- **Gary Tokumori** gtokumori@pmcos.com
- **United States Trustee (LA)** ustpreion16.la.ecf@usdoj.gov
- **Michael L Wachtell** mwachtell@buchalter.com
- **John P. Ward** jward@attleseystorm.com, ezhang@attleseystorm.com
- **Paul P Young** paul@cym.law, jaclyn@cym.law
- **Roye Zur** rzur@elkinskalt.com, cavila@elkinskalt.com; lwageman@elkinskalt.com; 1648609420@filings.docketbird.com

2. TO BE SERVED BY UNITED STATES MAIL (CONTINUED):

United States Trustee

Ron Maroko
915 Wilshire Blvd., Ste. 1850
Los Angeles, CA 90017

Trustee

Mark M Sharf (TR)
6080 Center Drive, Ste. 600
Los Angeles, CA 90045

**RESPONSE TO MOTION FOR ORDER DISMISSING DEBTOR'S CHAPTER 11
BANKRUPTCY CASE**

ATTACHMENT 1 May 3, 2023